

Call Senator Maddy's office (or me) for an original version of SB 1158. It was sponsored by A/G Dan Lungren himself and is at the ulterior level still aimed at major erosions if not eradication of the U S Fourth Amendment. While it is true the current much amended version does not contain any of these original provisions, the original version does show the intent of our A/G.

With their legislative skills (bag of tricks), Sen Ken Maddy and Willie Brown's Assembly colleague John Burton are still aiming at a coup de tait to reintroduce gross violations of the U S Fourth Amendment. They still want to broaden the "legal basis" for permitting state and local level "rogue agency" (Reagan term) police invasions of homes of suspected owners of coin collections, guns, cash reserves, other negotiable valuables on the pretext of "a belief" that person's house has some "controlled substance." Come to the hearings and see the "goon squad" types for yourself.

See Ventura County D/A report on killing of Ventura County resident Donald Scott by Gary Spencer, LA County Deputy Sheriff. Thorough search of premises and land of the executed owner, supported what earlier aerial survey and invading "scouting" missions had already reported. NO CONTROLLED SUBSTANCES FOUND. ONLY ONE EXECUTED LAND AND HOMEOWNER. So far, D Scott was just another free practice killing; Randy Weaver's son and wife, the WACO 80, Kahl. Call Ventura DA, 805/645-1400, for your own free copy of that DA's report on the "incident." See also LA County District Attorney 20 pager to A/G Lungren dated 8/11/93 for information on this still sought for attempt at a coup.

DELTA PROTECTION COMMISSION - "Protection Insurance?"

This Commission has been charged with a mission that is in violation of the very oath its members signed. It is involved in working to gain control of land use rights over private property, something delegated by owners to their elected representatives. Since the voters were denied the chance to vote on this, the seizure and forfeiture by this commission of these private property rights will be done solely by the exercise of gun and badge (brute) force. Would it be inappropriate to extend the term of "rogue agency" to this real estate property rights seizure and forfeiture commission?

About those cities and counties you are right now laying plans to seize and control - Do you have a policy to GIVE ADVANCE NOTICE TO CITIES AND COUNTIES IN THE FIVE COUNTIES ABOUT THE COMMISSION MEETINGS AND PURPOSES? One week is NOT ADVANCE NOTICE. Commission has already set its meeting dates and locations through 1993. These are already set.

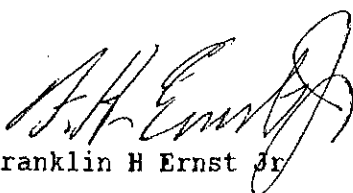
Re appointees letting their Councils or Boards know? It is possible appointees could care less or have other motives in whatever is reported back or not.

There are probably A/G case law definitions of "Conspiracy" in the California Penal Code which could include these meetings aimed at taking over the authority which currently resides in the elected members of those constitutionally established bodies, if that were the purpose.

MENTAL Reservation or Purpose of Evasion and California Constitutional Oath of Office

Despite "mental reservations or purposes of evasion" to the contrary, this COMMISSION represents "RULE BY MEN, NOT RULE BY LAW." How does a person settle that in his own mind? Most 10 year old "legalist" minds know that "mental reservation or purpose of evasion" does originate in the (mentally) evasive person's own mind.

Respectfully,


Franklin H Ernst Jr

To: Chairman and members,
Delta Protection Commission

FOR THE RECORD
Revised version

Comments from the public:

Ernst report #9 to the Delta Protection Commission

August 26, 1993

Sirs:

ADMINISTRATIVE MATTERS

- 1) Minutes of 7/29/93 meeting do not reflect Commission's direction to staff re minutes of June meeting. On 7/29/93, Chm with Comm approval, directed that "minutes show in the June '93 meeting Dr Ernst presented his usual monthly report to Commission at Public Comments time." This action is not reflected in July minutes.
- 2) **FOR THE RECORD** a copy is submitted of my letter to the Commission dated Aug 9, 1993 re fraud and forgery.

The map on page 4 of the 1993 DWR "Atlas of the Delta" issued last meeting is **NOT** a reproduction of **THE MAP** of Water Code 12220. It may be a copy of a copy of a copy, BUT as anyone with a copy machine knows, "convenience" changes are easy to slip into one of these steps. **THAT MAP** claimed in the enabling legislation has not been found. There is no way to independently confirm what DWR asserts there. I'm less than inclined to accept the word of the State in blind faith. The legend on that map is a continuation of the repeated misrepresentations during both legislative hearings and since.

SEIZURES AND FORFEITURES BY CALIFORNIA GOVERNMENTS

- 3) Most of you here have title to some land. The meaning of that owner title, however, is being steadily narrowed down to your right to bunk, eat, bathe, change, set up your TV AND pay taxes instead of renting. The basic meaning and purpose of property ownership is, nevertheless, still the right to put it to your own personal best use.

Because "situational values (case) law" is attempting to change that fact does not change the meaning in the minds of inhabitants.

You here are participating in the termite-like activity of cannibalizing the property rights of the individual. A termite eats the supports of a structure, here constitutional elected representative government. The goals of this Commission are to set aside and forfeit the authority of elected representatives in favor of a non-elected body; to do so by forceful seizure of the rights of owners to an elected representation; to do so by the use of the guns and badges at the disposal of your superior.

Just as the members of the Contra Costa County Board of Supervisors took an action a few months ago to seize and forfeit the Second Amendment protections of the U S Constitution for inhabitants in that County, so too, you here are involved in seizing the rights of Californians to the protections of the California Constitution in Art XI, Sec 1a), no consolidation of counties without voter approval.

You are **not** an elected body. The purpose of this commission, however, is to seize and forfeit the rights of the inhabitants to electing representatives to whom they have delegated the authority to govern property use rights. Your commission mandate is to substitute your authority for that governance and to exercise this seized power and control over a five county area. Although said differently, Corps of Engineers is very clear about that, as are the minutes of these meetings.

Those who take solace that the Attorney General said you are legal, I would only remind you that right now, A/G Dan Lungren is involved in efforts to seize and forfeit your own personal protections in US Constitution Fourth Amendment: security in your home, due process, NO SEARCH WITHOUT A WARRANT, probable cause, etc.